

Appl. No. 10/542,506
Amdt. dated July 21, 2010

REMARKS/ARGUMENTS

This Amendment is in response to the final rejection dated February 2, 2010, the Advisory Action dated May 13, 2010, the Advisory Action dated June 11, 2010, the Advisory Action dated June 23, 2010 and the Advisory Action dated July 16, 2010. Pursuant to a telephone conversation between the Examiner and Applicant's representatives J. Philip Polster and Steve Balsarotti on July 1, 2010, Applicant has (1) amended the specification to remove the hyperlink first objected to by the Examiner in the Final rejection, and (2) submitted information first requested by the Examiner in the Final rejection. It is believed that these actions are in full compliance with 37 CFR 41.33 and 37CFR 1.116, as interpreted in the MPEP at 1206. Therefore, Applicant respectfully requests entry of the amendment.

Amendment of the Specification

Applicant has amended ¶0077 to remove both the hyperlink and the URL.

Rule 105 Request

Submitted herewith as Exhibit A are copies of product information sheets for SimplyThick[®], the packaged thickener concentrate sold by Applicant's assignee. Also submitted with this Amendment is a copy of instructions for using the SimplyThick[®] thickener concentrate product. These documents were distributed at

Appl. No. 10/542,506
Amdt. dated July 21, 2010

or around the time of the filing of the instant application. Applicant provided the original information in response to his ongoing duty of candor to the U.S. Patent & Trademark Office. Applicant requests confirmation from the Examiner that these documents satisfy the request under Rule 105.

Conclusion

It is respectfully requested that this amendment be entered to comply with the Examiner's formal requirements and to simplify the issues for appeal. Should the Examiner have questions or suggestions, she is urged to call Applicant's undersigned attorney in order to simplify the issues on appeal for both Applicant and the Examiner.

Respectfully submitted,

July 21, 2010

By: /J.Philip Polster/
J. Philip Polster, Reg. No. 24,739
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, MO 63131
Tel: (314) 238-2400
Fax: (314) 238-2401
jpolster@patpro.com